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6 February 1957

MEMORANDUM FOR: Deputy Director (Support)

SUBJECT: Briefing Statement on Office of General Counsel Personnel

1. The Office of General Counsel is responsible for all legal matters arising in connection with the activities of the Central Intelligence Agency. These embrace not only those problems which are to be found in any Government agency but also those arising from CIA's special statutory authorities and responsibilities and developing in many instances into special and unique situations which are the direct result of our clandestine activities. When security becomes a paramount feature, as it often does, the Office of General Counsel does not have access to the other legal services normally available throughout the Government. This often results in a prolonged and specialized approach since the unique functions and authorities of this Agency must be construed in situations for which there is generally no precedent.

2. As of 1 February 1957 the total on-duty strength of the Office <sup>was</sup> ~~will be~~ ☐. There are ☐ lawyers, of whom one, the Deputy General Counsel, is currently attending the National War College. This represents a reduction from a maximum of ☐ lawyers with a total on-duty strength of ☐. Every effort has been made to hold the staff to an absolute minimum and still maintain operating efficiency. It will probably be necessary to recruit one additional lawyer in the junior grade. Otherwise, aside from replacement for those leaving through normal turnover, I do not expect much change.

3. Due to the variety of problems with which the Office is faced, no short description of our activities can be easily given. We have, of course, the usual functions of any legal office within the Executive side of the Government. We draft, analyze and consult on proposed legislation.

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(We conduct liaison throughout the Government with the legal offices of other agencies and departments, ~~as well as~~ often maintaining the primary relationship with certain divisions of these other agencies which are not primarily legal in nature. We review all regulations issued within the Agency and interpret and construe them throughout the term of their use. ~~Within what we can loosely describe as our more normal functions we~~ advise personnel both through the Personnel Office and directly on the sundry matters that require at least some general counsel from the Agency. ~~The handling and settlement of claims demands a certain amount of time and attention. These are~~ both tort claims against the Government and the processing of individual accounts payable to the Agency.) The function of each of the various members of the Office remains fairly general although some special emphasis is required in certain instances. The volume of our procurement is such that one member of the Office can handle it alone but it is nevertheless sufficiently demanding to require all his time. This particular work probably comes as close to the general Government norm as any we do, although even then we are faced with (problems of security classification and in many instances concealment of the subject matter itself.) At the particular moment, of course, and we would suppose for some reasonable time to come, we are very much (involved in the sundry and myriad matters affecting the construction of our new building.) Of a more sustaining nature, we are (engaged in an analysis of our various covert activities in relation to application of the Espionage Act.)

4. (On the covert side, ~~the members of the Office are~~ engaged in support activities which are more in the nature of the practice of a private attorney than that of the usual Government lawyer. Since they are unable in almost every instance to become openly identified with

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proven very generous in their services which have on the whole produced surprisingly good results. A covert function of the Office is to maintain the contact with this panel and to develop its versatility.)

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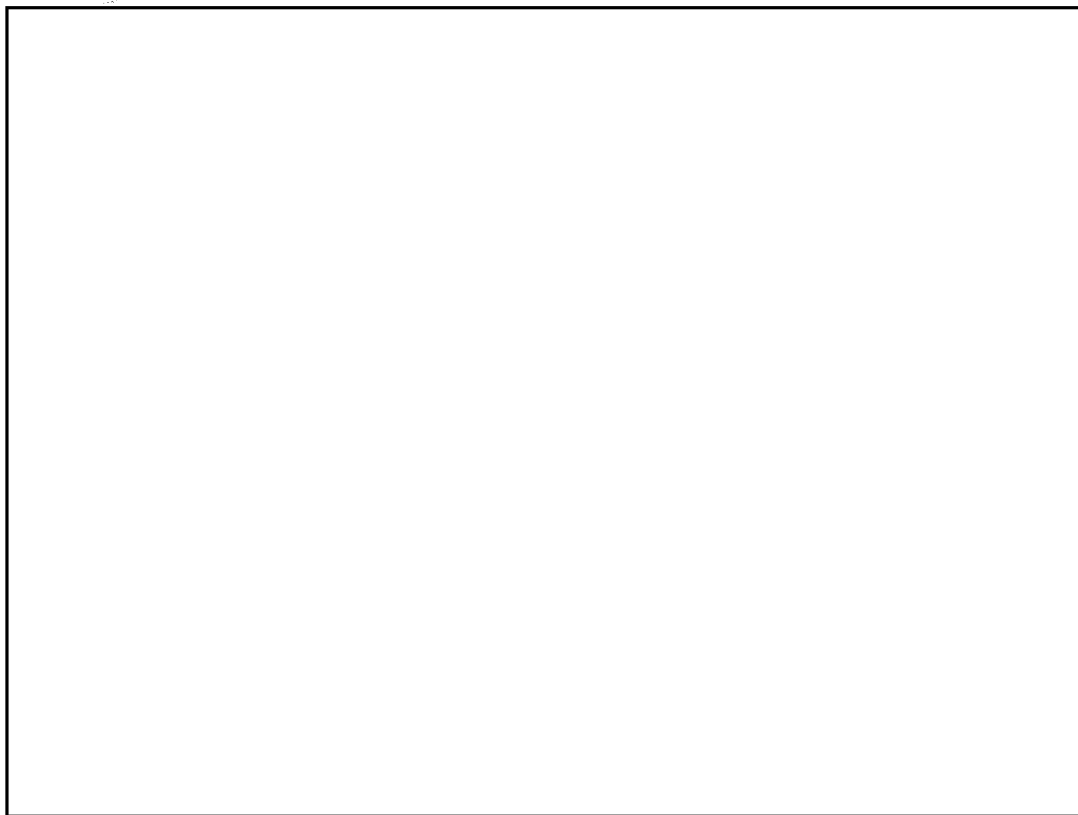
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5. Any division of time between the "overt" and "covert" functions of the Office would not produce consistent results. However, any covert activities are generally much more timeconsuming because of the security features. They also quite frequently require foreign travel of varying durations. Several members of the Office may be overseas during the year for periods from several days to six months.

6. While it is difficult to give a descriptive summary of the covert activities, some specific problems may illustrate the function. Our lawyers have from time to time:

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7. As the above indicates, the Office must be prepared to advise on business aspects of numerous cover situations. In this capacity, members of the Office function through a standing committee and must be prepared to comment on the law of a given industry and its impact and effect in a given state or country.

8. Not the least of our problems is compliance with normal U. S. governmental regulations and requirements, compliance that does not endanger the security of the clandestine performance. Members

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of the Office have devoted much time to an analysis of these regulations and then to the development of devices and methods which permit compliance but at the same time preserve security. Typical examples of this involve: income taxes, Social Security, death and disability payments, and Missing Persons Act benefits.

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located in those areas. Differing only in scale, they generally find the same work and problems encountered at Headquarters. The extent to which they become actively involved in covert operations depends largely on the status of their cover in the area and general considerations of security. On occasion their scope can be expanded to accommodate adjacent problems. Usually, however, such matters would be handled by people from Headquarters acting in pursuit of independent arrangements.

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Assistant General Counsel

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